



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MSA/SDD
F. #2011R00783

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 23, 2014

By ECF

Honorable John Gleeson
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Agron Hasbajrami
Criminal Docket No. 11-623 (S1)(JG)

Agron Hasbajrami v. United States
Civil Docket No. 13-6852 (JG)

Dear Judge Gleeson:

On December 31, 2013, the above-captioned defendant sought the Court's intervention to gain access to certain video recordings seized from his computer during the investigation underlying this case. The government received a copy of the defendant's request and inquired with the Bureau of Prisons whether its policies prohibited the defendant's possession of those materials in prison. On January 9, 2014, the Court ordered the government to report the status of its inquiry by January 23, 2014. By this letter, the government respectfully submits its report, and for the reasons set forth below, requests an additional two weeks, until February 6, 2014, to advise the Court of the substance of the BOP's proposal for providing the defendant with access to the recordings.

The BOP forwarded the government's request for the above information to an attorney in its Northeast Regional Office, who contacted officials at FCI Fairton, where the defendant is serving his prison sentence. Those officials expressed concern over the defendant's possession of the requested materials because Fairton does not have facilities for inmates to review video discovery in private. Thus, if the defendant had access to the video, he would review it in the prison's shared library, where other inmates could view the materials with him. Fairton officials fear that the recordings could negatively impact the behavior of the prisoners.

To address both Fairton's and the defendant's concerns, the BOP attorney and Fairton officials are attempting to formulate a solution that would provide the defendant with access to the requested materials. To date, BOP has not reported to the government whether it was able to devise a solution. The government has followed up with BOP, and is awaiting a response.

Because BOP is still attempting to formulate a solution that addresses the conflicting interests involved, the government respectfully requests an additional two weeks to be advised of BOP's proposal and report its substance to the Court.

Respectfully submitted,

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